

What is claimed is:

Claims 1 - 34 (canceled).

35. (Currently amended) The ~~An~~ eyewear lens system of claim 34, said system comprised of at least one rotator, wherein said rotator is comprised of a turning member.

36. (Currently amended) The eyewear lens system of claim 35, said lens system further comprising a peripheral member and a peripheral edge, said peripheral member engaging said peripheral edge, said turning member being attached to said peripheral member.

37. (Withdrawn – currently amended at 79) The eyewear lens system of claim 35 34, said lens system further comprising at least one memory member.

38. (Currently amended) An eyewear lens, said lens comprising an anchor cut-out said cut-out having an opening area and an inner area, said inner area being wider than said opening area.

Claims 39 - 45 (canceled).

46. (Currently amended) A configurable eyewear system, said eyewear system comprising at least one containment structure and at least one lens, said at least one lens being rotatable within said containment structure, said eyewear system further comprising at least one rotator, said at least one lens being rotatable at least by said rotator, wherein said eyewear system is in a group of headwear consisting essentially of ~~sunglasses,~~ welder's eyewear, motorcycle rider eyewear, safety eyewear, skydiving eyewear, airplane pilot eyewear, ~~deep sea diving eyewear,~~ gas mask eyewear, hazardous materials eyewear, 3-d glasses, costumes, masks, goggles, hoods, UV tanning eyewear, racecar driver eyewear, astronaut

eyewear, sports eyewear, hoods and helmets.

47. (Previously presented) The configurable eyewear system of claim 46, said eyewear system further comprising at least one turning member, said at least one lens being rotatable at least by said turning member.

48. (Previously presented) The configurable eyewear system of claim 47, wherein said at least one lens further comprises a peripheral edge, said peripheral edge further having a lens bezel, and wherein said containment structure further has an interior surface, said lens bezel being mated with said interior surface, and said lens bezel being rotatable within said interior surface.

49. (Previously presented) The configurable eyewear system of claim 47, said at least one lens further comprising a peripheral area, said turning member attached to said peripheral area of said lens.

50. (Previously presented) The configurable eyewear system of claim 47, wherein said at least one lens is attached to at least one peripheral member, said turning member being attached to said peripheral member, and wherein said at least one lens further comprises a peripheral edge, said at least one peripheral member engaging said peripheral edge.

51. (Previously presented) The configurable eyewear system of claim 47, wherein said containment structure further comprises at least one containment stop member, said at least one stop member impacting said turning member, wherein said stop member stops said turning member from rotating past said stop member.

52. (Previously presented) The configurable eyewear system of claim 46, wherein said lens has at least two optical portions.

53. (Previously presented) The configurable eyewear system of claim 52, wherein said

lens has a first optical portion and a second optical portion, said first optical portion being different than said second optical portion.

54. (Previously presented) The configurable eyewear system of claim 53, wherein said first optical portion is a majority of said lens and said second optical portion is a minority of said lens.

55. (Previously presented) The configurable eyewear system of claim 53, wherein said first optical portion has a first prescription, and said second optical portion has a second prescription.

56. (Previously presented) The configurable eyewear system of claim 55, wherein said second prescription is a multi-focal lens.

57. (Withdrawn – currently amended at 79) The configurable eyewear system of claim 46, said eyewear system further comprising at least one memory member.

58. (Previously presented) A configurable eyewear system, said eyewear system comprising at least one containment structure and at least one lens, said at least one lens being rotatable within said containment structure, said eyewear system further comprising at least one rotator, said at least one lens being rotatable at least by said rotator, said eyewear system further comprising at least one memory member, said lens being rotatable at least by said memory member.

59. (Previously presented) The configurable eyewear system of claim 58, said lens further comprising an anchor cut-out said memory member being attached to said lens at said anchor cut-out.

60. (Previously presented) The configurable eyewear system of claim 58, wherein said memory member is attachable to said lens, said memory member being able to be in a

resting configuration and in at least one stretched configuration. said at least one lens having an at rest position and at least one rotated position, said at least one lens being automatically rotatable from said at least one rotated position toward said at rest position when said memory member transforms from said at least one stretched configuration toward said resting configuration.

61. (Previously presented) The configurable eyewear system of claim 60, said eyewear system further comprising at least one latch, said at least one latch being latchable when said at least one lens is in said at least one rotated position, wherein when said at least one latch is latched, said lens is in a fixed position, and wherein said at least one lens is automatically rotatable from said fixed rotated position to said resting position when said latch is unlatched from having been latched.

62. (Previously presented) A configurable eyewear system, said eyewear system comprising at least one containment structure and at least one lens, said at least one lens being rotatable within said containment structure, said eyewear system further comprising at least one memory member, said lens being rotatable at least by said memory member.

63. (Previously presented) The configurable eyewear system of claim 62, said memory member further comprising at least one connector, said connector connecting said memory member to said containment structure.

64. (Previously presented) The configurable eyewear system of claim 62, said memory member further comprising at least one connector, said connector connecting said memory member to said lens.

65. (Previously presented) The configurable eyewear system of claim 64, said connector comprised of gluing said memory member to said lens.

comprising at least one containment structure and at least one lens, said at least one lens being rotatable within said containment structure, said eyewear system further comprising one turning member, said at least one lens being rotatable at least by said turning member, said system further comprising at least one peripheral member, said turning member being attached to said peripheral member, and wherein said at least one lens further comprises a peripheral edge, said peripheral edge having at least one mating member, said at least one peripheral member having at least one mating member, said peripheral member mating member engaging said peripheral edge mating member.

78. (Currently amended) The configurable eyewear system of claim 77, wherein said mating member is in a group consisting essentially of openings, indentations, and prongs.

79. (Currently amended with 37, 57) The configurable eyewear system of ~~claim 77~~ further comprising at least one memory member, wherein said peripheral member has a first end and a second end, said first end having a first projection member and said second end having a second projection member, said first and second projection members meeting when said peripheral member encircles said peripheral edge of said lens, and wherein said turning member is comprised of said first and second projection members.

80. (Previously presented) The configurable eyewear system of claim ~~79~~ 77, wherein said containment structure further comprises at least one containment stop member, said at least one stop member being able to impact said turning member, wherein said stop member stops said turning member from rotating past said stop member.

81. (Previously presented) The configurable eyewear system of claim ~~79~~ 77, wherein said lens has at least two optical portions.

82. (Previously presented) The configurable eyewear system of claim 81, wherein said

66. (Previously presented) The configurable eyewear system of claim 64, said connector comprised of molding said memory member to said lens.
67. (Previously presented) The configurable eyewear system of claim 64, said connector comprised of heat sealing said memory member to said lens.
68. (Previously presented) The configurable eyewear system of claim 64, said connector comprised of tacking said memory member to said lens.
69. (Previously presented) The configurable eyewear system of claim 64, said connector comprising an anchor insert.
70. (Previously presented) The configurable eyewear system of claim 69, said system further comprising a turning member, wherein said turning member is comprised of said anchor insert.
71. (Previously presented) The configurable eyewear system of claim 63, said connector comprised of a wire insert.
72. (Previously presented) A memory member, said memory member being attachable to eyewear having a lens whereby said memory member is able to cause said lens to rotate.
73. (Previously presented) The memory member of claim 72, said memory member further comprising an anchor end.
74. (Withdrawn) A latch for fixing the position of the lens of eyewear, said latch comprising a cut-out portion.
75. (Withdrawn) The latch of claim 74, said latch further comprising a diagonal portion.
76. (Withdrawn) A connector wire, said connector wire being attachable to a memory member and a containment structure for eyewear.
77. (Previously presented) A configurable eyewear system, said eyewear system

lens has a first optical portion and a second optical portion, said first optical portion being different than said second optical portion.

83. (Previously presented) The configurable eyewear system of claim 82, wherein said first optical portion is a majority of said lens and said second optical portion is a minority of said lens.

84. (Previously presented) The configurable eyewear system of claim 82, wherein said first optical portion has a first prescription, and said second optical portion has a second prescription.

85. (Withdrawn) A peripheral member, said peripheral member comprising at least one mating member, said peripheral member further comprising a first end and a second end, said first end having a first projection member and said second end having a second projection member, said first and second projection members being able to meet when said peripheral member encircles said peripheral edge of said lens, and wherein said turning member is comprised of said first and second projection members.

86. (New) A configurable eyewear system, said eyewear system comprising at least one containment structure and at least one lens, said at least one lens being rotatable within said containment structure, said eyewear system further comprising at least one rotator, said at least one lens being rotatable at least by said rotator, wherein said eyewear system is headwear consisting of deep sea diving eyewear.

87. (New) The configurable eyewear system of claim 81 wherein said eyewear is sunglasses.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,508	08/25/2003	Frank T. Brzozowski		4230

44321 7390 07/30/2007
PATRICIA A. WENGER
201 NORTH JACKSON STREET
MEDIA, PA 19063

EXAMINER

MAI, HUY KIM

ART UNIT PAPER NUMBER

2873

MAIL DATE DELIVERY MODE

07/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

Ex 11A

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No.	Applicant(s)	
	10648508		
	Examiner	Art Unit	
	MAI, HUY	2873	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

The amendment document filed on 24 July 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
 - ☒ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
 - ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☒ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): _____.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

- 1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment, an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
- 2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
- Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

MS.COOPER

Legal Instruments Examiner (LIE), if applicable

571-3272-4339

Telephone No.

Part of Paper No.

U.S. Patent and Trademark Office

EX "A"

Continuation Sheet (PTOL-324)
PTOL-324 (04-06)

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

EX "A"

Continuation Sheet (PTOL-324)

Application No.

EX "A"